REMARKS

In the Board of Appeal's Decision, the Board speculated that packets of different sizes would have different processing times. While, the applicant cannot accept this proposition, nonetheless, the claims have been amended in a way that they cannot possibly read on embodiments that merely send shorter and longer packets with different priorities.
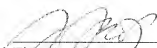
As amended, the claims call for determining the amount of information that must be loaded into the header. Packets that require more information to be loaded into the header are sent behind packets that require less.

While increasing header size results in some increase in packet length, it is not believed that this would be substantial since the payload is presumably a much higher percentage of the overall packet length than the header. If this was not so, the packet header overhead would be so high that packet processing would be inefficient.

Therefore, reconsideration is respectfully requested.

Respectfully submitted,

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